

ZONING MAP CHANGE (UDO SEC. 3.5) – PROCESS OVERVIEW

IMPORTANT: PLEASE REFER TO THE REFERENCED SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR REQUIREMENTS AND DETAILS. THIS IS AN OVERVIEW ONLY.

Fee schedule and forms/applications/checklists are available at the City/County Planning Department, Ground Floor (Basement), 101 City Hall Plaza, Durham, and at www.durhamnc.gov/departments/planning/applications.cfm#zoning.

Timing: Allow a minimum of 16 weeks after submittal for an application without a development plan. The process may take significantly longer depending on application complexity and quality.

PROCESS

Phase 1 - Pre-Application Submittal

1. Submit registration for pre-application conference (also called pre-submittal conference). Planning Dept./Zoning section will contact the applicant to schedule. **See UDO Secs. 3.2.2, 3.5.2.**
2. Attend pre-application conference. If applicable, also address Comprehensive Plan amendment (Planning Dept./Long Range section application; joint pre-application conference allowed). **See UDO Secs. 3.4, 3.5.4.**
3. Contact other relevant City/County/State departments for requirements. Staff references are on the pre-application conference form.
4. Hold neighborhood meeting if a TIA and/or Comprehensive Plan amendment is required. **See UDO Secs. 3.2.3, 3.4.4, 3.5.3; Neighborhood Meeting Guidelines** at www.durhamnc.gov/departments/planning/neighborhood_meeting_guidelines.cfm.

Phase 2 – Application Submittal

5. Submit application with fee. **See UDO Secs. 3.2.4, 3.5.5.** Submittal deadlines (noon, typically second Monday of the month) are at: www.durhamnc.gov/departments/planning/zoning_committee/submittal.cfm.

The application may require:

- Development Plan. **See UDO Secs. 3.5.1, 3.5.6; Development Plan Guidelines** at www.durhamnc.gov/departments/planning (pdf in left column)
- Traffic Impact Analysis. **See UDO Secs. 3.3 (pre-application conference with Public Works required), 3.5.1, 3.5.6.C.3.m.**
- Stormwater Impact Analysis. **See UDO Sec. 3.5.6.C.3.m.**
- Design Guidelines. **See UDO Sec. 3.5.6.C.3.n.**
- Phasing Plan. **See UDO Sec. 3.5.6.C.4.**

Phase 3 – Application Review & Public Hearings

6. Planning distributes application to other reviewing departments. Planning and other reviewing departments prepare comments (the goal is a two week turnaround but timing can vary depending on caseloads). Planning provides comments to the applicant. Re-review can occur. Once all comments are sufficiently addressed, Planning prepares staff report and recommendation, sends notices, and posts signs. **See UDO Secs. 3.2.5, 3.5.8.**
7. First Public Hearing – Planning Commission
Commission makes recommendation to the governing body (City Council or County Board of Commissioners). Planning prepares revised staff report for the governing body. **See UDO Secs. 3.2.5 – Notice, 3.5.9, 3.5.10.**
8. Second Public Hearing – City Council or County Board of Commissioners
Governing body makes final decision. **See UDO Secs. 3.2.5 – Notice, 3.5.11.**

ADDITIONAL INFORMATION

- **Communicate in advance with neighboring property owners and other interested parties.** The zoning map change process requires notice to neighbors and neighborhood organizations (**see UDO Secs. 3.2.3, 3.2.5, 3.5.9, 3.5.11**) and opponents may file a protest petition (**see UDO Sec. 3.5.13**). Applications are public information and the media often review them and contact neighbors immediately after the submittal deadline.
- **Significant Modifications to a Development Plan** (**see UDO Secs. 3.5.6.D, 3.5.12**). They start the process over.
- **Committed Elements for Development Plans** (**see UDO Sec. 3.5.6.A.9**). Read the **Development Plan Guidelines** referenced in #5 above (policy dated September 6, 2006).
- **Deferral** (**see UDO Sec. 3.5.7**). A maximum of two deferrals (one each from the applicant and an opponent) may be requested per proposed zoning map change.

PLANNING COMMISSION & GOVERNING BODIES

Planning Commission:

www.durhamnc.gov/departments/planning/planning_commission_calendar.cfm

Schedule, agendas that link to documents.

City Council: www.durhamnc.gov/council/

Procedure, schedule, agendas that link to documents.

County Board of Commissioners: www.durhamcountync.gov/departments/bocc/index.html

Procedure, schedule, agendas.

For additional information, contact the City/County Planning Department at 919-560-4137, www.durhamnc.gov/departments/planning.